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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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EXAMINER

BRIER, JEFFERY A

ART UNIT

PAPER NUMBER

2672

DATE MAILED: 06/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/930,115

Applicant(s)

SAMRA ET AL.



Examiner

Jeffery A. Brier

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7 and 9-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7 and 9-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☒ Interview Summary (PTO-413) Paper No(s). 7.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) ☐ Other:

DETAILED ACTION

Response to Amendment

1. The preliminary amendment faxed on 06/10/03 has been entered. Claim 7 was amended, claims 1-6 and 8 have been cancelled, and claims 9-20 have been added.

Election/Restrictions

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claim 1, drawn to performing actions on objects in response to a gesture, classified in class 345, subclass 594.
 - II. Claims 2-6, drawn to independent manipulation of windows, classified in class 345, subclass 788.
 - III. Claim 7, drawn to navigator box, classified in class 345, subclass 660.
 - IV. Claim 8, drawn to selecting one or more operations to be members of a group in, classified in class 345, subclass 726.

The inventions are distinct, each from the other because of the following reasons:

3. Inventions I and II-IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as the operation on an image in claim 2, the displaying of a miniature version of the image on the display screen within an inner box within the navigator window in claim 7, and the selecting one or more operations to be members of a group in claim 8 does not require the selection of an object as claimed in claim 1. See MPEP § 806.05(d).
4. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

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5. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II-IV, restriction for examination purposes as indicated is proper.
6. During a telephone conversation with Charles Kulas on 05/29/03 a provisional election was made with traverse to prosecute the invention of group III, claim 7. Affirmation of this election was made by applicant in the preliminary amendment faxed on 06/10/03. The non elected claims were cancelled in the preliminary amendment Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
7. Applicant's election of group III in Paper No. 6 faxed on 06/10/03 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Specification

8. The disclosure is objected to because of the following informalities:
- at page 13 line 4 "min" should be "mini".
- Appropriate correction is required.

Claim Objections

9. Claims 7 and 13 are objected to because of the following informalities:
- claim 7 line 9 "show" should be "shown"; and
- claim 13 line 5 "are" should be "area". Appropriate correction is required.

Claim Rejections - 35 USC § 112

10. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

11. Claims 16 and 17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 16:

Claim 16 claims two of the inner areas of claim 15 overlap and claim 15 claims inner areas that includes a different portion of the electronic image. The specification does not describe this because if the inner areas totally overlap then the corresponding portion of the electronic image would not show different portions of the electronic image. Figure 4B shows a partial overlap of inner areas 354 & 356 which indicates that 344 & 346 does not show entirely the same portion.

Claim 17:

Claim 17 claims multiple different images are displayed. While the specification at page 13 lines 6 and 7 clearly describes different parts of a diagram are displayed in windows 340, 342, 344, and 346, thus this claim claims subject matter that was not present in the applicant as filed.

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

13. Claims 7, 9, 10, 12-15, and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Hama et al., U.S. Patent No. 4,751,507.

Claim 7:

Hama teaches a method for viewing an image on a display screen (*see figures 1 and 5*), wherein a portion of the image is displayed (*23 of figure 5*) and wherein portions of the image are off-screen the method comprising

displaying a navigator box (*22 of figure 5*) on the display screen;

displaying an inner box (*25 of figure 5*) within the navigator box (22):

displaying a miniature version of the portion of the image on the display screen

within the inner box (*within 22 is shown a small version of the evergreen tree shown in 23*), wherein the portions of the off-screen image are show in miniature within the area of the navigator box (22) that is outside of the inner box (25).

Claim 9:

Hama teaches the method of claim 7, wherein the display screen is coupled to a processor (4, 5, 7, 8, 10) and user input device (9), the method further comprising accepting signals from the user input device to change the portion of image displayed (*column 2 lines 58-61*) and to change at least one portion of an off-screen image changing the relative position of the inner box (*column 2 lines 62-65*) with respect to the navigator box (22) in correspondence with the changed image portions.

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Claim 10:

Hama teaches the method of claim 9, wherein the step of changing the relative position of the inner box includes a substep of displaying the changed portion of displayed image within the inner box (as the cursor 25 is moved the image within the cursor changes).

Claim 12:

This method claim is very similar to method claim 7 and this claim is rejected for the same reasons given for claim 7.

Claim 13:

This method claim is very similar to method claim 9 and this claim is rejected for the same reasons given for claim 9.

Claim 14:

It is not clear which area is to be rectangular, however, in Hama areas 22, 23, and 25 are rectangular.

Claim 15:

The inner area 25 shows four areas formed by the cross hairs.

Claim 17:

Hama teaches the method of claim 12, wherein multiple different electronic images (applicant has broadly claimed different images which is met by the house image, the tree image and the flower image of the larger image 22 of figure 5) are displayed, the method further comprising displaying multiple inner areas within the navigator area (22), wherein two or more inner areas include miniature portions of two or more of the different electronic images (placement of the cursor 25 over the tree and flower will provide at least one inner area over the tree and another inner area over the flower).

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Claim 18:

This apparatus claim corresponds to method claim 7 and this claim is rejected for the same reasons given for claim 7. In addition figure 1 illustrates the means to form navigator box 22, inner box 25 and image portion 23.

Claim 19:

This apparatus claim corresponds to method claim 7 and this claim is rejected for the same reasons given for claim 7. In addition figure 1 illustrates the means to form navigator box 22, inner box 25 and image portion 23.

Claim 20:

This computer-readable medium claim corresponds to method claim 7 and this claim is rejected for the same reasons given for claim 7. In addition figure 3 illustrates the instructions to form navigator box 22, inner box 25 and image portion 23.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hama et al., U.S. Patent No. 4,751,507 in view of IBM Technical Disclosure Bulletin titled Project management Environment.

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Hama teaches the image to be a computer controlled graphic application, column 1 lines 10-11, a stored image representation, column 1 line 34, and an image comprising a house, tree and flower, illustrated in figure 5.

Hama does not teach wherein the image includes one or more nodes in a flowgraph.

The IBM Technical Disclosure Bulletin teaches displaying a flowchart that is larger than the display and allowing the user to scroll through the flowchart to view different areas of the flowchart, see page 6 of the EAST printout of this document.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a flowgraph image in Hama because a flowgraph is an image corresponding to a computer controlled graphic application and because the IBM teaches displaying a flowchart image that is larger than the display.

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Alexander et al., U.S. Patent No. 6,229,536, Takagi et al., U.S. Patent No. 6,005,535, Paal et al., U.S. Patent No. 5,263,134, Tanaka, U.S. Patent No. 5,253,338, and Yanker, U.S. Patent No. 5,187,776 all teach a navigator box for allowing the user to easily see where in the large electronic document the enlarged view is retrieved. Cox et al., U.S. Patent No. 5,890,130, teaches displaying a flowchart and allowing the user to interact with the visualization of the flowchart.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery A. Brier whose telephone number is (703) 305-4723. The examiner can normally be reached on M-F from 6:30 to 3:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached at (703) 305-4713).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

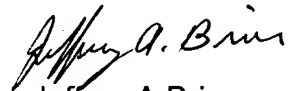
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.


Jeffery A Brier
Primary Examiner
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